

**IN THE CIRCUIT COURT FOR
PRINCE GEORGE'S COUNTY**

HUBERT HAMILTON

*

Plaintiff

*

Case No.: CAL22-15148

vs.

*

HOME DEPOT U.S.A., INC.

*

Defendant

*

ANSWER

COMES NOW, Home Depot, U.S.A., Inc., Defendant, by and through its counsel, Matthew T. Angotti and Zachary S. Gilreath, hereby files the following Answer to Complaint, and with regard to the allegations in the Complaint states as follows:

GENERAL DENIAL

Pursuant to Maryland Rule 2-323(d), Defendant hereby denies liability generally.

NEGATIVE DEFENSE

Defendant denies the existence of execution of a written instrument as alleged and did not contract as alleged.

AFFIRMATIVE DEFENSES

1. The Complaint fails to state a claim upon which relief can be granted.
2. The Complaint is barred due to Plaintiff's failure to join a necessary party as required by Maryland Rule 2-211.
3. The Complaint is barred by the applicable statute of limitations.
4. The Complaint is barred by the doctrine of assumption of risk.

5. The Complaint is barred by Plaintiff's own negligence and/or contributory negligence.


6. The Complaint is barred by Md. Code, CTS. & JUD. PROC. § 5-405.

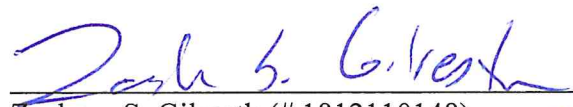

7. Defendant reserves the right to raise any additional affirmative or negative defenses. Defendant reserves the right to amend or supplement this Answer and its affirmative defenses, and or assert additional defenses as discovery and investigation are ongoing.

PRAYER FOR RELIEF

WHEREFORE, Defendant respectfully requests this Court:

- a. DISMISS Plaintiff's claims against Defendant with prejudice; and
- b. Grant any and all such further relief as the Court deems appropriate.

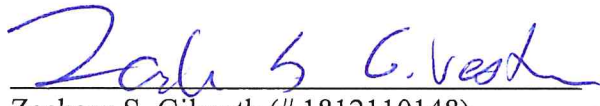

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Attorneys for Defendant Home Depot USA Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of July 2022, a copy of Defendant's Answer was eserved and/or mailed to:

Jeffrey R. Scholnick, Esq.
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Attorney for Plaintiff


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